

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

JOHN MICHAEL KIRK,

No. C 08-805 SI (pr)

Plaintiff,

ORDER OF TRANSFER

v.


Warden FELKER; et al.,

Defendants.

John Michael Kirk filed this civil rights action under 42 U.S.C. § 1983, complaining of acts and omissions that occurred at the High Desert State Prison in Susanville and the Pleasant Valley State Prison in Coalinga, California. Susanville is in Lassen County and Coalinga is in Fresno County; both counties are within the venue of the Eastern District of California. The defendants, all of whom apparently are employed at High Desert State Prison, also apparently reside in the Eastern District of California. Venue therefore properly lies in that district and not in this one. See 28 U.S.C. § 1391(b). Accordingly, in the interest of justice and pursuant to 28 U.S.C. § 1406(a), this action is TRANSFERRED to the United States District Court for the Eastern District of California. The clerk shall transfer this matter.

IT IS SO ORDERED.

Dated: September 22, 2008


SUSAN ILLSTON
United States District Judge